

1 Daniel D. Maynard, No. 009211
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6 Attorneys for Defendant

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF ARIZONA**

9 United States of America,

10 Plaintiff,

11 v.

12 Abdul Malik Abdul Kareem,

13 Defendant.

14 No. CR 15-00707-PHX-SRB

15 **MOTION TO DELAY RULING ON**
16 **MOTION FOR NEW TRIAL AND ON**
17 **SENTENCING**

18 Defendant, Abdul Malik Abdul Kareem (“Abdul Kareem”), by and through his
19 undersigned counsel, moves this Court to delay the ruling on the Motion for New Trial and the
20 Sentencing until after the Government has produced the additional documents that it contends
21 it has and plans to turn over to the Defendant. At the oral argument on the Motion for New
22 Trial, the Government acknowledged that it is in the process of declassifying certain documents
23 that it has that will be turned over to the Defendant’s counsel. The Government advised the
24 Court on July 22, 2016 that it thought the documents would be available in approximately two
25 to three weeks. Admittedly, the Government stated that it does not believe the documents are
26 *Brady* material but the Defendant has no idea what he will receive. Since the Government has
advised Defendant’s counsel that it believes Defendant will add these documents to its Motion
for New Trial, it appears the Government believes the documents are relevant.

Additionally, there are numerous complex issues that will be dealt with at the sentencing
of the Defendant if the Motion for a New Trial is denied. For these reasons, the Defendant
requests that the ruling on the Motion for New Trial be delayed until ten (10) days after the
Government produces the documents it says it is declassifying and will produce and that the

1 sentencing be continued until twenty (20) days after the Court has ruled on the Motion for New
2 Trial.

3 Further, undersigned counsel requests that the Court extend the time of sentencing,
4 which is currently set for August 16, 2016 at 9:30 a.m., until after the evidence has been
5 produced and the Court has ruled on the Motion for New Trial. Undersigned counsel has
6 contacted the AUSA's office and do not have an objection to this motion.

7 This motion is made in good faith and not for purposes of delay. Local Rule 4.16
8 requires that any motion submitted for filing in a criminal case must contain a statement as
9 follows: "Excludable delay under 18 U.S.C. § 3161(h)(1)(F) will occur as a result of this
10 motion or of an order based thereon."

11 ||| RESPECTFULLY SUBMITTED this 3rd day of August, 2016.

**MAYNARD CRONIN ERICKSON
CURRAN & REITER, P.L.C.**

14 By /s/Daniel D. Maynard
15 Daniel D. Maynard
16 3200 North Central Avenue, Suite 1800
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Attorney for Defendant

ORIGINAL of the foregoing e-filed this 3rd day of August, 2016 via ECF with:

18 Clerk of the Court
19 United States District Court
20 401 W. Washington
Phoenix, AZ 85003

21 | COPY of the foregoing electronically delivered this 3rd day of August, 2016 via ECF with:

22 Kristen Brook
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26 || By /s/Stacey Tanner